

## Results of Brief Enforcement Hearings – June 21, 2004

Note: Brief Enforcement Hearings are heard by a Single Commissioner, normally the Chair of the Commission. Brief enforcement hearings are held when the facts are undisputed, the violations appear to be relatively minor in nature, and a penalty no greater than \$500 will be assessed for the violations. A respondent may appeal the results of a brief enforcement hearing by asking the full Commission to review the findings of the Single Commissioner.

### Brief Enforcement Hearings – June 21, 2004

1. **Thurston Citizens for a Better Community**, Case #04-439

**Results:** The Respondent violated RCW 42.17.080 and .090 by failing to timely report actual or estimated obligations to Chinook Consulting for a mailing to households in the City of Olympia.

**Assessed Penalty:** \$200, with \$100 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

The Chair also acted to dismiss the following allegations:

- that the Respondent failed to timely and accurately report payment to Chinook Consulting for a mailing the firm prepared.
- that the Respondent failed to report a pledged loan from the Thurston County Chamber of Commerce.
- that the Respondent failed to timely and accurately report receipt of a loan from the Thurston County Chamber of Commerce.

2. **Steve Hammond 2003 Campaign**, Case #04-239

**Results:** The Respondent did not violate RCW 42.17.080 and 42.17.090 by failing to report \$810, as an in-kind contribution, paid by Jeff Cox to Evan Loeffler for legal services to challenge Senator Pam Roach's voter registration. The Chair also acted to dismiss the allegations that Diane Fish and Jeff Cox violated RCW 42.17.130 by using public facilities to assist the Steve Hammond 2003 campaign.

3. **Steven Towers 2003 Campaign**, Case #04-279

**Results:** The Respondent violated RCW 42.17.080, 42.17.090, WAC 390-16-105 and 390-16-125 by accepting in-kind contributions from one source which exceeded the limit of the Mini Reporting option, and by accepting total contributions and making total expenditures that exceeded the limit of the Mini Reporting option. The Respondent also violated RCW 42.17.040 by failing to properly seek a change to the Full Reporting option prior to exceeding the limits of the Mini Reporting option.

**Assessed Penalty:** \$150.

4. **Judy Scott 2003 Campaign**, Case #04-293

**Results:** The Respondent violated RCW 42.17.080, 42.17.090, WAC 390-16-105 and 390-16-125 by accepting total contributions and making total expenditures that

exceeded the limit of the Mini Reporting option. The Respondent also violated RCW 42.17.040 by failing to properly seek a change to the Full Reporting option prior to exceeding the limits of the Mini Reporting option.

**Assessed Penalty:** \$250, with \$150 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

5. **Robert McConkey**, Case #04-148

**Results:** At a May 26, 2004 Brief Enforcement Hearing, the Chair acted to vacate the order issued October 6, 2003 and ordered staff to re-schedule the case for a future Brief Enforcement Hearing so that the Respondent would have an opportunity to participate. At a hearing held June 21, 2004, it was found that the Respondent violated RCW 42.17.050 by failing to timely file a Candidate Registration, PDC form C-1, and violated RCW 42.17.240 by failing to timely file a Statement of Financial Affairs, PDC form F-1. Both forms were due within two weeks of becoming a candidate.

**Assessed Penalty:** \$200, with \$150 suspended.

6. **Jeffrey Turner**, Case #04-217

**Results:** The Chair acted to vacate the action taken at a Brief Enforcement Hearing held September 10, 2003, and re-heard the case on June 21, 2004, taking into consideration additional evidence not presented to the Chair on September 10, 2003. It was found that the Respondent violated RCW 42.17.240 by failing to timely file a Statement of Financial Affairs, PDC form F-1, due within two weeks of becoming a candidate.

**Assessed Penalty:** \$100, with \$100 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

Brief enforcement hearings were held for 60 Respondents who PDC staff alleged had failed to timely file the annual Statement of Financial Affairs, PDC form F-1, due by April 15, 2004. The results of the brief enforcement hearings for the 60 Respondents are included on a separate spreadsheet. Note: Mark Hullinger, Case No. 04-633, was initially found in violation of RCW 42.17.240 for failing to timely file his annual F-1 report and was assessed a penalty of \$100. However, on July 20, 2004, the Presiding Officer vacated his order based on new information. Thus, there was no violation.